

## Deposition of: Roger Sarenpa

Taken: February 3, 2005

|  |  |
|--|--|
| <p>8</p> <p>1 A Well, I think she wanted to be married to an alcoholic,<br/>2 and I wasn't an alcoholic.</p> <p>3 Q Okay, and was she an alcoholic?</p> <p>4 A No.</p> <p>5 Q Why do you think she wanted to be married to an<br/>6 alcoholic?</p> <p>7 A Why do I think that.</p> <p>8 Q Yes.</p> <p>9 A Why do I think that. I don't know. That's just what I<br/>10 think.</p> <p>11 Q Okay. What was her stated position?</p> <p>12 A Her stated position. Well, she certainly said a lot of<br/>13 bad things about me. You mean why did she state that she<br/>14 wanted the divorce?</p> <p>15 Q Exactly.</p> <p>16 A I don't remember.</p> <p>17 Q All right. You mentioned that you had a history with an<br/>18 alcohol problem?</p> <p>19 A Uh-huh.</p> <p>20 Q When was that?</p> <p>21 A My dry date was 1-17-77, and I started drinking I guess<br/>22 in high school.</p> <p>23 MR. LARSON: Just one thing for the court<br/>24 reporter's sake, and I'll probably remind you of this a<br/>25 couple of times. Court reporters always say they can't</p> | <p>10</p> <p>1 A Yes.</p> <p>2 Q And did you go to work after you graduated from high<br/>3 school?</p> <p>4 A Yes.</p> <p>5 Q Where did you go to work?</p> <p>6 A For my father, Thomas &amp; Associates.</p> <p>7 Q And what is Thomas, or what was Thomas &amp; Associates?</p> <p>8 A Screen printing company.</p> <p>9 Q And what did you do for them?</p> <p>10 A Well, I started out kind of at the bottom, acclimating<br/>11 sheets, and then started printing and die cutting.</p> <p>12 Q You gradually worked your way up?</p> <p>13 A Yeah, yeah.</p> <p>14 Q Did you ever consider going to college?</p> <p>15 A No.</p> <p>16 Q Did you have -- what was your grade point average in high<br/>17 school?</p> <p>18 A Don't remember.</p> <p>19 Q Did you get mostly As, mostly Bs, mostly Cs?</p> <p>20 A Sorry, don't remember.</p> <p>21 Q Were you a good student?</p> <p>22 A No.</p> <p>23 Q Why is it that you never gave college any thought?</p> <p>24 A I didn't like school.</p> <p>25 Q Had you had discussions with your dad about going to work</p>                                       |
| <p>9</p> <p>1 A get uh-huhs. You have to say yes.</p> <p>2 THE WITNESS: Okay.</p> <p>3 MR. GREENMAN: Thank you, counsel.</p> <p>4 BY MR. GREENMAN:</p> <p>5 Q In terms of the alcohol problem, did you go through<br/>6 treatment?</p> <p>7 A No.</p> <p>8 Q Did you go to college?</p> <p>9 A No.</p> <p>10 Q Did you graduate from high school?</p> <p>11 A Yes.</p> <p>12 Q When did you graduate from high school?</p> <p>13 A I always have to think about that, because I didn't<br/>14 graduate with my class, I had to go on the work program,<br/>15 so I guess it would have been '64.</p> <p>16 Q Okay, and how many years total did it take you from the<br/>17 time you started high school to the time you completed it<br/>18 or graduated?</p> <p>19 A Just high school?</p> <p>20 Q Right.</p> <p>21 A Three and-a-half.</p> <p>22 Q So you graduated early?</p> <p>23 A No. Late, half a year after I should have.</p> <p>24 Q Okay, so you went one semester extra than the typical<br/>25 four years of high school.</p>                             | <p>11</p> <p>1 A for him after high school?</p> <p>2 A No.</p> <p>3 Q Did you work for him at any time prior to the time you<br/>4 graduated from high school?</p> <p>5 A Yes.</p> <p>6 Q Full-time or part-time basis?</p> <p>7 A Yes.</p> <p>8 Q Which one?</p> <p>9 A Both.</p> <p>10 Q When did you first start working for your dad?</p> <p>11 A I think 1964.</p> <p>12 Q That was the year you graduated from high school?</p> <p>13 A Well, then I didn't graduate in '64, then it was '65.</p> <p>14 Q So if I understand your testimony correctly, if my math<br/>15 is right, you worked for him either on full-time or<br/>16 part-time capacity for about a year and-a-half before you<br/>17 formally graduated from high school.</p> <p>18 A Yes.</p> <p>19 Q Did you work for him part-time while you were in school<br/>20 and full-time during the summer and on breaks?</p> <p>21 A I don't remember.</p> <p>22 Q What happened to Thomas &amp; Associates?</p> <p>23 A I changed the name to Express Image after I bought out my<br/>24 dad's partner.</p> <p>25 Q Who was your dad's partner?</p> |

**Deposition of: Roger Sarenpa**  
**Taken: February 3, 2005**

|  |  |
|--|--|
| <p style="text-align: right;">12</p> <p>1 A Don Raddatz.<br/>     2 Q Can you spell the last name, please?<br/>     3 A R-a-d-d-a-t-z.<br/>     4 Q And when did you buy out your dad's partner?<br/>     5 A 1982.<br/>     6 Q Prior to 1982, I assume you had acquired your father's<br/>     7 interest in the business?<br/>     8 A No.<br/>     9 Q Can you explain to me how that worked. When did you<br/>     10 become complete owner? You bought out your dad at one<br/>     11 point. Tell me how that came about.<br/>     12 A We hadn't gotten there yet. I bought out my dad in 1990.<br/>     13 Q Oh, I see. So you bought out your dad's partner, and you<br/>     14 and your father in essence were partners –<br/>     15 A Yes.<br/>     16 Q – for eight years, until you then bought your father's<br/>     17 shares.<br/>     18 A Yes.<br/>     19 Q Did the business itself essentially stay the same over<br/>     20 time, the type of thing that you produced?<br/>     21 A Yes.<br/>     22 Q Over the years when you were working either, you know,<br/>     23 working for your father, were there talks of<br/>     24 successorship with you taking over some day?<br/>     25 A No.</p> | <p style="text-align: right;">14</p> <p>1 Q Another printing business?<br/>     2 A Yes.<br/>     3 Q During the 17 years that you, approximately 17 years that<br/>     4 you were working there before buying out your dad's<br/>     5 partner, did you think you had any realistic options<br/>     6 outside of either working for Thomas &amp; Associates or<br/>     7 starting your own business?<br/>     8 A I don't remember.<br/>     9 Q When you bought out your dad's partner, did you have the<br/>     10 intention of buying out your father at some point?<br/>     11 A I don't remember.<br/>     12 Q Between 1982 and 1990, how many discussions would you<br/>     13 think that you had with your dad about buying him out<br/>     14 some day?<br/>     15 A None.<br/>     16 Q None. So how did you present the offer of \$100,000 to<br/>     17 buy out his portion of the business?<br/>     18 A Well, we must have talked about it.<br/>     19 Q That's what I'm getting at.<br/>     20 A I don't remember it.<br/>     21 Q I mean, you didn't all of a sudden one day come and<br/>     22 spring it on him and say, dad, I want to buy you out,<br/>     23 here's my offer. You would think that there would have<br/>     24 been discussions about it prior to that, right?<br/>     25 A There would have had to have been.</p> |
| <p style="text-align: right;">13</p> <p>1 Q Not once?<br/>     2 A Not once.<br/>     3 Q So how did you happen to buy out your dad's partner?<br/>     4 A Where did you get the capital?<br/>     5 A I had it in a profit sharing plan.<br/>     6 Q How much did you pay your dad's partner?<br/>     7 A 30,000.<br/>     8 Q And how much did you pay your father?<br/>     9 A 100,000.<br/>     10 Q Did you just assume all along that you were going to<br/>     11 spend your career at Express Image?<br/>     12 A No.<br/>     13 Q At some point, did you come to that conclusion?<br/>     14 A Oh, you mean after I bought it?<br/>     15 Q No, before you bought it.<br/>     16 A No.<br/>     17 Q Between 1965 and 1982, did you develop any skills that<br/>     18 you thought were readily transferrable to other<br/>     19 companies?<br/>     20 A Other screen printing companies.<br/>     21 Q Did you think that your options were in any way<br/>     22 comparable if you had left Express Image and gone<br/>     23 somewhere else, or Thomas &amp; Associates?<br/>     24 A Well, before I bought out my dad's partner, I had plans<br/>     25 of starting my own business.</p>          | <p style="text-align: right;">15</p> <p>1 Q That makes sense, doesn't it?<br/>     2 A Yeah.<br/>     3 Q How many, over the years, since Jeff has been working for<br/>     4 you or working at Express Image, how many discussions<br/>     5 would you say that you've had with him about him taking<br/>     6 over the business some day?<br/>     7 A It's pretty hard to put a number on it.<br/>     8 Q A lot?<br/>     9 A Relative to what?<br/>     10 Q Well, I mean, say it's been about 20 years, hasn't it, a<br/>     11 little more than that?<br/>     12 A MR. CALDECOTT: Well, 1990 to 2005 is not 20<br/>     13 years.<br/>     14 BY MR. GREENMAN:<br/>     15 Q Well, Jeff went to work for the business prior to 1990,<br/>     16 right?<br/>     17 A Right.<br/>     18 Q So over the 20 plus years that Jeff has worked there,<br/>     19 would you say that the topic has been broached at least<br/>     20 20 times?<br/>     21 A Are you looking for me to guess?<br/>     22 Q I want just a ballpark figure about how many times it's<br/>     23 been discussed, like between ten and 20, between 20 and<br/>     24 30, between 100 and 200?<br/>     25 A Between ten and a hundred.</p>  |

## Deposition of: Roger Sarenpa

Taken: February 3, 2005

|    |   |    |   |
|----|---|----|---|
|    | 24  |    | 26  |
| 1  | there.  | 1  | other than Zack?  |
| 2  | Q Emphasize morals?   | 2  | A No, but my window is narrow and that's –                  |
| 3  | A Pardon me?  | 3  | Q Was there anybody else in your office at the time?        |
| 4  | Q Emphasize morals?   | 4  | A No.   |
| 5  | A Moral values, definitely, no lying or stealing or         | 5  | Q What did you do after you witnessed this?                 |
| 6  | cheating. I'd say the golden rule would be a good one.      | 6  | A I think I sent Mary an e-mail.                            |
| 7  | Q During the last six months of Steve's employment, how     | 7  | Q Did you talk to anybody?                                  |
| 8  | many times did you call him a sinner?                       | 8  | A And then I called Bob Ryan.                               |
| 9  | A Zero, none.   | 9  | Q How soon after the incident did you call Bob Ryan?        |
| 10 | Q How many times did you tell him he was committing a sin?  | 10 | A I don't remember.   |
| 11 | A None.   | 11 | Q Within the hour?  |
| 12 | Q How many times did you tell him he was breaking a         | 12 | A I'd say the same day.                                     |
| 13 | commandment?  | 13 | Q Same day? Who is Bob Ryan?                                |
| 14 | A None.   | 14 | A Bob Ryan owns, well, used to be Skill Share, now it's     |
| 15 | Q How many times did you tell him that he would learn from  | 15 | About Purpose. I first met him when I joined a group of     |
| 16 | your mistakes?  | 16 | five or six other business owners. He was the               |
| 17 | A Once.   | 17 | facilitator of that group, and then previously, or          |
| 18 | Q When was that?  | 18 | subsequent to that, he was like a business coach, a         |
| 19 | A He and I had a – when? May 23, 2003. I have no idea.      | 19 | consultant, and I talked to him several times.              |
| 20 | That's, I'm sorry, that's sarcastic. I don't know when      | 20 | Q What qualifications does he have to be a business         |
| 21 | it was.   | 21 | consultant?   |
| 22 | Q In what context did it arise?                             | 22 | A What qualifications? A knowledge of business and          |
| 23 | A He was in my office, and we were just having a            | 23 | training, some sort of a degree.                            |
| 24 | conversation.   | 24 | Q Why did you call Bob Ryan?                                |
| 25 | Q What was the conversation?                                | 25 | A At that point on the –                                    |
|    | 25  |    | 27  |
| 1  | A I had told him about the, with regard to the affair that  | 1  | Q Yes, on the same day.                                     |
| 2  | I had had and that I thought, told him that I had learned   | 2  | A To get some advice.                                       |
| 3  | that it was – it didn't give me what I thought it would     | 3  | Q Why did you feel you needed advice?                       |
| 4  | and that it was very hurtful to a lot of people and that    | 4  | A Because I had a sense that this could be a dangerous      |
| 5  | it put my business in danger, and that I thought it was     | 5  | thing. I mean, when – there are murders that take place     |
| 6  | the same thing as what he was doing.                        | 6  | when married people bring their other person in contact     |
| 7  | Q Did you tell him that he will learn from your mistakes?   | 7  | with their spouse, love triangle, whatever you want to      |
| 8  | A How could I – no, no.                                     | 8  | call it. It just seemed like a dangerous thing to me.       |
| 9  | Q How many times did you tell him that he needed to repent? | 9  | Q Did you believe that Steve was keeping it a secret that   |
| 10 | A Never.  | 10 | he was in a relationship with Holly?                        |
| 11 | Q And after Steve resigned and he wanted to come back, you  | 11 | A Obviously not.  |
| 12 | told him that you weren't going to hire him back, because   | 12 | Q Did you know Jenny to have any violent tendencies?        |
| 13 | this was his penance, right?                                | 13 | A No.   |
| 14 | A Never.  | 14 | Q Do you know, does Jenny own a gun?                        |
| 15 | Q Going back to June of 2003, I want you to tell me how you | 15 | A I have no knowledge.                                      |
| 16 | learned about the kissing incident.                         | 16 | Q Do you think that Jenny would be capable of causing Holly |
| 17 | A I witnessed it.   | 17 | or Steve bodily harm?                                       |
| 18 | Q Tell me where you were and how you happened to witness    | 18 | A I don't know.   |
| 19 | it.   | 19 | Q Have you ever known Jenny to strike anybody?              |
| 20 | A It was right in front of my office window.                | 20 | A No.   |
| 21 | Q So a car pulls up. What happens? Tell me what you saw.    | 21 | Q Okay. Why else did you call Bob Ryan?                     |
| 22 | A Oh, what I saw. I saw Steve and Holly in the front seat   | 22 | A I think that's enough.                                    |
| 23 | and Zack Koosman in the back seat. I saw Steve kissing      | 23 | Q Well, were there any other reasons, other than just       |
| 24 | Holly. They kissed two times.                               | 24 | limited to the fact that it was a dangerous situation?      |
| 25 | Q Okay. Was there anyone else present in the vicinity,      | 25 | A Dangerous would also include what he termed, the phrase   |

**Deposition of: Roger Sarenpa**  
**Taken: February 3, 2005**

|  |   |
|--|---|
| <p style="text-align: right;">28</p> <p>1 he used is opening our company up for a possible hostile<br/>   2 work environment lawsuit.</p> <p>3 Q Is Bob Ryan a lawyer?<br/>   4 A No.</p> <p>5 Q Did you talk to a lawyer after he said that?<br/>   6 A Yes. I talked to my lawyer.</p> <p>7 Q Who was that?<br/>   8 A Craig Greenberg.</p> <p>9 THE WITNESS: Oh, oh.</p> <p>10 MR. LARSON: We don't object. There is no<br/>   11 communication being asked, I don't think.</p> <p>12 MR. GREENMAN: And by the way, we're going<br/>   13 to have one attorney defending the deposition, and I<br/>   14 assume that's going to be you, since you're sitting<br/>   15 there.</p> <p>16 MR. LARSON: That would be me.</p> <p>17 MR. CALDECOTT: If I want to call attention<br/>   18 to my co-counsel about something by looking at him or<br/>   19 clearing my throat or passing him a note, I'll do that;<br/>   20 and if you're aware of a case that says that I can't do<br/>   21 that, please let me know.</p> <p>22 MR. GREENMAN: You can pass all the notes<br/>   23 you want. You're just not going to participate in<br/>   24 defending the deposition.</p> <p>25</p> | <p style="text-align: right;">30</p> <p>1 BY MR. GREENMAN:<br/>   2 Q As you should.</p> <p>3 MR. CALDECOTT: That is the acid test<br/>   4 whether you hired somebody.<br/>   5 (Discussion off the record.)</p> <p>6 BY MR. GREENMAN:<br/>   7 Q Did Bob Ryan explain why he thought this in any way could<br/>   8 be sexual harassment or hostile work environment?<br/>   9 A Yes.</p> <p>10 Q What did he say?<br/>   11 A He said that if an employee that Steve was supervising<br/>   12 were to witness that --</p> <p>13 Q That being what?<br/>   14 A The kissing incident. That that, as a supervisor – it's<br/>   15 a little hard to remember. But as a supervisor, the<br/>   16 employees learn by example what they see their supervisor<br/>   17 doing. There is a certain responsibility there that<br/>   18 would be inherent in that job. So there could also be,<br/>   19 if Jenny had witnessed that, she could possibly sue the<br/>   20 company for my allowing my son to be engaging in<br/>   21 something like that on company property.</p> <p>22 Q Something like what?<br/>   23 A Kissing this woman other than his wife.<br/>   24 MR. LARSON: Could I interrupt for just a<br/>   25 second on a disclosure issue?</p> |
| <p style="text-align: right;">29</p> <p>1 BY MR. GREENMAN:<br/>   2 Q Did you –</p> <p>3 MR. LARSON: What was the last – I lost<br/>   4 track. Oh, the last question is was the response –</p> <p>5 MR. GREENMAN: Who was the lawyer.</p> <p>6 MR. LARSON: Okay. Go ahead. You can<br/>   7 answer that, who the lawyer was.</p> <p>8 MR. GREENMAN: Craig Greenberg.</p> <p>9 MR. LARSON: Oh, okay.</p> <p>10 BY MR. GREENMAN:</p> <p>11 Q Is he with a firm?</p> <p>12 A Yes.</p> <p>13 Q What firm?</p> <p>14 A Huffman, Usem, Crawford, Saboe &amp; Greenberg.</p> <p>15 Q Did you hire Mr. Greenberg with respect to the situation<br/>   16 with Steve?</p> <p>17 A Did I hire him.</p> <p>18 MR. LARSON: I guess you can answer that.</p> <p>19 THE WITNESS: Well –</p> <p>20 MR. LARSON: If you can.</p> <p>21 THE WITNESS: He is my company lawyer. Any<br/>   22 time, I assume any time I call him on the phone, I'm<br/>   23 hiring him, because I get a bill in the mail, but I<br/>   24 didn't specifically –</p> <p>25</p>  | <p style="text-align: right;">31</p> <p>1 MR. GREENMAN: Yes.</p> <p>2 MR. LARSON: Mr. Ryan did generate a report,<br/>   3 and I just want to check to make sure you got it.</p> <p>4 MR. GREENMAN: I got it.</p> <p>5 MR. LARSON: Okay, good.</p> <p>6 MR. GREENMAN: I'm not going to go into that<br/>   7 in great detail.</p> <p>8 THE WITNESS: Is it possible to have a break<br/>   9 to talk to my lawyer?</p> <p>10 MR. GREENMAN: Sure.</p> <p>11 (Brief recess taken.)</p> <p>12 BY MR. GREENMAN:</p> <p>13 Q So we've established that you knew when the kissing<br/>   14 incident took place that Steve was not living with Jenny,<br/>   15 right?</p> <p>16 A We have not.</p> <p>17 Q We have not what?</p> <p>18 MR. CALDECOTT: No question along those<br/>   19 lines has been asked at all.</p> <p>20 MR. GREENMAN: He said it wasn't a secret.</p> <p>21 Counsel, I'd ask that again only one person defend the<br/>   22 deposition.</p> <p>23 BY MR. GREENMAN:</p> <p>24 Q You said it wasn't a secret that he was in a relationship<br/>   25 with Holly, correct?</p>   |

**Deposition of: Roger Sarenpa**  
**Taken: February 3, 2005**

|  |  |
|--|--|
| <p style="text-align: right;">32</p> <p>1 A Yes.<br/>     2 Q And so you knew at the time that he was not living with<br/>     3 Jenny.<br/>     4 A No.<br/>     5 Q You didn't know that.<br/>     6 A No, I didn't.<br/>     7 Q How did you know that Steve was having a relationship<br/>     8 with Holly in June?<br/>     9 A How did I know it. Well, for one thing, I saw him<br/>     10 kissing her in the parking lot.<br/>     11 Q Okay. That's the first time you'd ever seen her?<br/>     12 A That's the first time I ever saw her, yes.<br/>     13 Q Had you known her name prior to that date?<br/>     14 A Yes.<br/>     15 Q How did you know her name?<br/>     16 A I heard people mention her name, heard people mention it,<br/>     17 yeah.<br/>     18 Q Including your wife, right?<br/>     19 A Yes.<br/>     20 Q And you knew that Jenny and Mary were e-mailing all the<br/>     21 time about Jenny and Steve and Holly and issues like<br/>     22 that, right?<br/>     23 A I don't think so at that time.<br/>     24 Q Well, was there a time that you became aware that Jenny<br/>     25 and Mary were e-mailing extensively concerning Steve and</p>  | <p style="text-align: right;">34</p> <p>1 A Yes.<br/>     2 Q Bob Ryan didn't make any decisions, did he?<br/>     3 A He what?<br/>     4 Q He just made recommendations, he didn't make any<br/>     5 decisions, right?<br/>     6 A Right.<br/>     7 Q And you were free to either implement or disregard those<br/>     8 recommendations, weren't you?<br/>     9 A Yes.<br/>     10 Q Did you review Bob Ryan's recommendations with an<br/>     11 attorney?<br/>     12 A Yes.<br/>     13 Q Mr. Greenberg?<br/>     14 A Yes. Can I ask my lawyer a question?<br/>     15 Q There is not a question pending, so yeah.<br/>     16 (Brief time off the record.)<br/>     17 MR. LARSON: Although, now that you mention<br/>     18 it, I did do -- there is a letter from Mr. Greenberg<br/>     19 about this situation. It's, again, attorney-client<br/>     20 privilege, and I probably should have identified that<br/>     21 when I was identifying the other privilege documents.<br/>     22 MR. GREENMAN: Okay. I appreciate that.<br/>     23 And you're not going to be using that as evidence in this<br/>     24 case.<br/>     25 MR. LARSON: No, no.</p>  |
| <p style="text-align: right;">33</p> <p>1 Jenny?<br/>     2 A Yes, and Steve.<br/>     3 Q And when was that?<br/>     4 A When?<br/>     5 Q Yeah.<br/>     6 A I don't recall.<br/>     7 Q So your big problem was that he was kissing someone who<br/>     8 was not his wife while he was still married to Jenny.<br/>     9 MR. LARSON: If that states what you<br/>     10 testified to.<br/>     11 THE WITNESS: No.<br/>     12 BY MR. GREENMAN:<br/>     13 Q Then what was the problem?<br/>     14 A That he was doing it on company property in the sight<br/>     15 of -- the smoking crew were down here 50 feet from where<br/>     16 it took place.<br/>     17 Q Yeah, so what? What's the big deal?<br/>     18 A Well, as a business owner, I sometimes get a sense that<br/>     19 this could be dangerous, but I think the biggest thing<br/>     20 came from the report from Bob Ryan. As my business<br/>     21 adviser, I pay him, so I sure better listen to him.<br/>     22 Q You're free, aren't you, to follow or not follow any<br/>     23 advice that somebody gives you, correct?<br/>     24 A Yes.<br/>     25 Q Decision is ultimately yours, correct?</p> | <p style="text-align: right;">35</p> <p>1 BY MR. GREENMAN:<br/>     2 Q Now, have we exhausted all the reasons why you thought<br/>     3 that this was any of your business, the kissing incident?<br/>     4 A Anything that takes place on my, within my company, on my<br/>     5 property, I'd say I better make it my business.<br/>     6 Q Have you now told me all the reasons why you thought it<br/>     7 was your business?<br/>     8 A Yes.<br/>     9 Q Putting Steve's situation aside, the company doesn't have<br/>     10 a policy against a girlfriend kissing an employee while<br/>     11 dropping them off at work, right?<br/>     12 A No.<br/>     13 Q There would be nothing wrong with that, right?<br/>     14 A Right.<br/>     15 Q And it was only the fact that Steve was married to Jenny<br/>     16 at the time that made his situation different, right?<br/>     17 A Yes.<br/>     18 Q And if Steve was no longer married to Jenny, for<br/>     19 instance, then he would be in the same boat as just a<br/>     20 regular employee whose girlfriend is dropping him off at<br/>     21 work, right?<br/>     22 A I expect that would be the case.<br/>     23 Q Do you have a former employee named Randine working for<br/>     24 Express?<br/>     25 A Could you rephrase that question?</p> |